

PATENT
Docket No. 687-396

COMBINED DECLARATION AND PETITION

As a below named inventor, I hereby declare that:

This declaration is of the following type:

original

design

supplemental

national stage of PCT

divisional

continuation

continuation-in-part

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR MAKING A BRAIDED STENT WITH SPHERICALLY ENDED WIRES, the specification of which:

(a) is attached hereto
(b) was filed on December 27, 2000 as Application Serial No. 09/749,291.
(c) was described and claimed in PCT International Application No. _____, filed on _____ and as amended under PCT Article 19 on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

(d) no such applications have been filed
(e) such application have been filed as follows:

Prior Foreign Application(s)

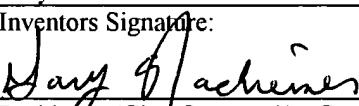
| Country (or indicate if PCT) | Application Number | Date of Filing (day, month, year) | Priority Claims Under 37 USC 119 |
|---------------------------------|--------------------|--------------------------------------|--|
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

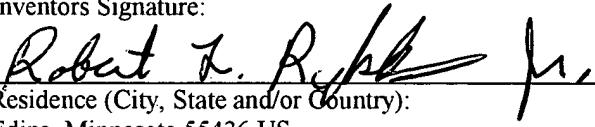
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

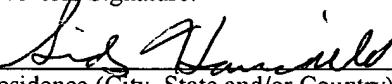
| | | |
|------------------------|-------------|-------------------------------------|
| Application Serial No. | Filing Date | Status-patented, pending, abandoned |
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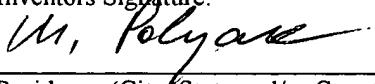
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

| | |
|---|--------------------|
| Full Name of the First Inventor: Gary Nachreiner | Date Signed: |
| Inventors Signature:  | |
| Residence (City, State and/or Country): Mound, Minnesota 55364 US | Citizenship: US |
| Post Office Address(Street, City, State, Zip Code, Country): 6056 Cherrywood Road, Mound, Minnesota 55364 US | |

| | |
|---|--------------------|
| Full Name of the Second Inventor: Robert L. Rykhus, Jr. | Date Signed: |
| Inventors Signature:  | |
| Residence (City, State and/or Country): Edina, Minnesota 55436 US | Citizenship: US |
| Post Office Address(Street, City, State, Zip Code, Country): 5504 Dundee Road, Edina, Minnesota 55436 US | |

| | |
|---|--------------------|
| Full Name of the Third Inventor: Sidney Hauschild | Date Signed: |
| Inventors Signature:  | |
| Residence (City, State and/or Country): Brooklyn Park, Minnesota 55444 US | Citizenship: US |
| Post Office Address(Street, City, State, Zip Code, Country): 7929 Kyle Avenue North, Brooklyn Park, Minnesota 55444 US | |

| | |
|---|--------------------|
| Full Name of the Third Inventor: Mark Polyak | Date Signed: |
| Inventors Signature:  | |
| Residence (City, State and/or Country): Minnetonka, Minnesota 55305 US | Citizenship: US |
| Post Office Address(Street, City, State, Zip Code, Country): 10501 Cedar Lake Road, #319, Minnetonka, Minnesota 55305 US | |



CERTIFICATE OF MAILING

I hereby certify that on March 28, 2001, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231.

37 C.F.R. § 1.8(a) 37 C.F.R. § 1.10
 with sufficient postage as "Express Mail Post Office to Addressee" Mailing Label No.

Angela Wendel
Angela Wendel

PATENT

Applicant: Nachreiner, et al.
Serial No.: 09/749,291
Filed: December 27, 2000
Title: METHOD AND APPARATUS
FOR MAKING A BRAIDED
STENT WITH SPHERICALLY
ENDED WIRES
Atty Docket No.: 687-396

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 1.32

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

American Medical Systems, Inc. a Delaware corporation, located at 10700 Bren Road West, Minnetonka, Minnesota, 55343, US, having become the owner of all rights in and to the above-identified application by virtue of an Assignment attached hereto and recorded herewith, hereby appoint the following as the attorneys of record with full power of substitution and revocation, to transact all business in the Patent and Trademark Office and before competent International Authorities connected with above-referenced patent or patent application; said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 1.12:

C. BERMAN, REG. 29249
L. J. BOVASSO, REG. 24,075
M. E. BROWN, REG. 28,590
B. CANTER, REG. 34,792
D.G. CHAPIK, REG. NO. 43,424
L. C. CULLMAN, REG. 39,645
C. DARROW, REG. 30,166
W.G. EDWARDS, REG. NO. 44,426
M. FARBER, REG. 32,612
C. A. S. HAMRICK, REG. 22,586

S. R. HANSEN, REG. 38,486
M. D. HARRIS, REG. 26,690
M. HEYNINCK, REG. 44,763
J. W. INSKEEP, REG. 33,910
H. D. JASTRAM, REG. 19,777
A. KAMRATH, REG. NO. 28,227
D. N. LARSON, REG. 29,401
J. LAZARIS, REG. 45,981
C.J. LERVICK, REG. NO. 35,244
K. A. MACLEAN, REG. 31,118

D. MCKINLEY, REG. NO. 42,867
C.A. MORTON, REG. NO. 44,954
S. OH, REG. P45,583
D. J. OLDENKAMP, REG. 29,421
W. POMS, REG. 18,782
A. C. ROSE, REG. 17,047
C. ROSENBERG, REG. 31,464
G. P. SMITH, REG. 20,142
R.S. TAMURA, REG. 43,179
G.B. WOOD, REG. 28,133

whose address is:

OPPENHEIMER WOLFF & DONNELLY LLP

Attn: James W. Inskeep
500 Newport Center Drive, Suite 700
Newport Beach, CA 92660
Telephone: (949) 823-6000
Facsimile: (949) 823-6030

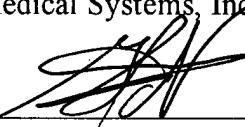
The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 3/22/01

American Medical Systems, Inc.



Johann J. Neisz
Vice President, Research & Development



04-10-2001



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SHEET

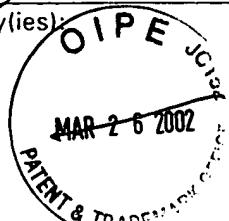
U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

4301

To the Hon. Commissioner of Patents & Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Gary Nachreiner
 Robert L. Rykhus, Jr.
 Sidney F. Hauschild
 Mark Polyak

Additional name of conveying party attached? Yes No

3. Nature of conveyance:

| | |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____ | |

Execution Date: March 20, 2000

4. Application number(s) or patent numbers:

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)
09/749,291 filed 12/27/2001

B. Patent No.(s)

5. Name and address party to whom correspondence concerning document should be mailed:

OPPENHEIMER WOLFF & DONNELLY LLP
 500 Newport Center Drive, Suite 700
 Newport Beach, CA 92660

Attn: James W. Inskeep

Additional numbers attached? Yes No

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit Account number:

16-2230

(Attach duplicate copy of this page if paying by deposit account)

RECEIVED
U.S. PATENT AND TRADEMARK OFFICE
MAR 31 2002
TC 3700 MBL R00M

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

James W. Inskeep

Name of Person Signing

Signature

March 28, 2001

Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patents & Trademarks, Box Assignments, Washington, D.C.

ASSIGNMENT

WHEREAS, We, Gary Nachreiner, Robert L. Rykhus, Jr., Sidney F. Hauschild and Mark Polyak, residing at the addresses listed below, citizen of the United States, have invented certain new and useful improvements disclosed in an application for United States Letters Patent titled **METHOD AND APPARATUS FOR MAKING A BRAIDED STENT WITH SPHERICALLY ENDED WIRES**, and executed by me on December 27, 2000 and given U.S. Patent Application Serial Number 09/749,291; and

WHEREAS, AMERICAN MEDICAL SYSTEMS, INC., a Delaware Corporation, located at 10700 Bren Road West, Minnetonka, Minnesota, U.S. 55343, (hereinafter, together with any successors, legal representatives or assigns thereof, called "ASSIGNEE"), wants to acquire the entire right, title and interest in and to said improvements and application,

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, We have sold, assigned, transferred and set over, and do hereby sell, assign, transfer and set over to Assignee the entire right, title and interest in and to said improvements, and said application and all divisions, substitutes and continuations thereof, and all United States Letters Patents which may be granted thereon and all reissues and extensions thereof, and all priority rights under the International Convention for the Protection of Industrial Property for every member country, and all applications for patents (including related rights such as utility-model registrations, inventor's certificates, and the like) heretofore or hereafter filed for said improvements in any foreign countries, and all patents (including all extensions, renewals and reissues thereof) granted for said improvements in any foreign countries; and We hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty is to issue patents on applications as aforesaid, to issue all patents for said improvements to Assignee in accordance with the terms of this assignment;

AND WE HEREBY covenant that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith;

AND WE HEREBY further covenant and agree that we will communicate to Assignee any facts known to me respecting said improvements, and testify in any legal proceedings, sign all lawful papers, execute all divisional continuation, substitute and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee to obtain and enforce proper patent protection for said improvements in all countries.

THIS ENTIRE ASSIGNMENT inures to the benefit of Assignee, its successors and assigns, and is binding upon me, my heirs, successors and legal representatives.

IN TESTIMONY WHEREOF, WE hereunto set our hand on the date listed below.

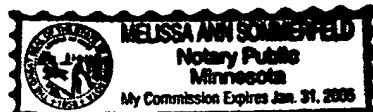
Dated: 3/20/01

Gary Nachreiner
Gary Nachreiner
6056 Cherrywood Road
Mound, Minnesota 55364 US

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)
)ss
)

On this 20 day of March, 2001, before me Melissa Ann Sommerfeld, the undersigned Notary Public, personally appeared Gary Nachreiner, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

Melissa Ann Sommerfeld
Notary Public



Dated: 3-20-01

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)ss

On this 20 day of March, 2001, before me Notary Public, personally appeared Robert L. Rykhus, Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.



Dated: 3/20/01

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)ss

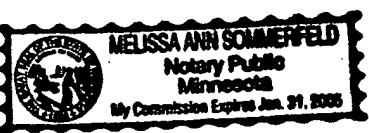
On this 20 day of March, 2001, before me Notary Public, personally appeared Sidney F. Hauschild, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.



Dated: 3/20/01

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)ss

On this 20 day of March, 2001, before me Notary Public, personally appeared Mark Polyak, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.



Robert L. Rykhus, Jr.

Robert L. Rykhus, Jr.
5504 Dundee Road
Edina, Minnesota 55436 US

Melissa Ann Sommerfeld

2001, before me Melissa Ann Sommerfeld the undersigned

Melissa Ann Sommerfeld

Notary Public

Sidney F. Hauschild

Sidney F. Hauschild
7929 Kyle Avenue North
Brooklyn Park, Minnesota 55444 US

Melissa Ann Sommerfeld

Notary Public

Mark Polyak

Mark Polyak
10501 Cedar Lake Road, #319
Minnetonka, Minnesota 55305 US

Melissa Ann Sommerfeld

Notary Public